THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.12882 OF 2007

DATED: 01-10-2007

BETWEEN

G. Sunitha,
W/o. G. Mahipal Reddy,
R/o. Pillaipally Village,
Pochampally Mandal,
Nalgonda District.

...PETITIONER

AND

The Deputy Collector and Tahasildar,
Hayathnagar Taluka,
Ranga Reddy District.

...RESPONDENT

ORDER:

Petitioner questions the order of the respondent dated 16.05.2007 in proceedings No.C/1300/2007 in resuming her land in an extent of Ac.1.27 guntas in Sy.No.279/7 of Turkayamjal Village, Hayathnagar Mandal, Ranga Reddy District on the ground that the said land was assigned in favour of one Cheruku Yadaiah S/o. Anjaiah but the same was transferred in favour of the petitioner in contravention of sub-section (2) of Section 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') and the Rules made thereunder.

2. Learned Government Pleader for Revenue submits that admittedly the said land is an assigned land and the original assignee has violated the provisions of the Act by selling the land to the petitioner vide registered sale deed bearing document No.6922 of 2000 dated 30.08.2000 and registered

rectification deed bearing document No.13324 of 2004 dated 11.10.2004 and therefore after issuing notice the land was resumed.

3. It is the case of the petitioner that she has not violated any of the provisions of the Act and assignment order.

4. Admittedly an appeal lies against the impugned order under Section 4-A(1) of the Act to the Revenue Divisional Officer. As there is an effective remedy available to the petitioner, I am not inclined to admit the writ petition.

The writ petition is accordingly dismissed with a liberty to the petitioner to avail the remedy of appeal within ten days from the date of receipt of a copy of this order. There shall be no order as to costs.

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V. ESWARAIAH, J

October 1, 2007
DSK